

EXHIBIT K

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WERNER BRANDT - HIGHLY CONFIDENTIAL

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

SAN FRANCISCO DIVISION

ORACLE CORPORATION, a Delaware)
Corporation, ORACLE USA, INC.,) Case No.
a Colorado corporation, and) 07-CV-01658 PJH (EDL)
ORACLE INTERNATIONAL)
CORPORATION, a California)
corporation,)

Plaintiffs,)

vs.)

SAP AG, a German corporation,)
SAP AMERICA, INC., a Delaware)
corporation, TOMORROWNOW,)
INC., a Texas corporation,)
and DOES 1-50, inclusive,)

Defendants.)

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Thursday, November 13, 2008

8:39 a.m.

(Volume 2)

Continued Highly Confidential
Videotaped Deposition of WERNER
BRANDT, held at the offices of Bingham
McCutchen, LLP, 399 Park Avenue, New
York, New York 10022, pursuant to
Notice, before Otis Davis, a Notary
Public of the State of New York.

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16:33:33 2

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16:33:42 5

16:33:42 6

16:33:45 7

16:33:47 8

16:34:19 9

16:34:21 10

16:34:22 11

Q. And one final question: Can

16:34:26 12

you tell me two or three of the larger

16:34:30 13

licensing deals that SAP has entered into

16:34:34 14

for intellectual property?

16:34:49 15

MR. LANIER: Vague and

16:34:50 16

ambiguous.

16:34:51 17

Go ahead.

16:35:01 18

A. What do you mean with

16:35:03 19

"licensing deals"? Do you mean

16:35:05 20

cross-licensing agreements?

16:35:08 21

Q. Cross-licensing could be -- it

16:35:10 22

really depends on the magnitude of the

16:35:14 23

deal.

16:35:15 24

A. With REDACTED , with REDACTED (in

16:35:22 25

English)?

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16:35:24 2 Q. Where there is not a
16:35:26 3 cross-license, where, for instance, SAP is
16:35:31 4 just licensing itself without giving a
16:35:34 5 license in return. Can you name a
16:35:37 6 licensing transaction?

16:35:52 7 A. On the technology side, it's
16:35:57 8 REDACTED. Some on the technology side; in
16:36:05 9 other areas, for example, it's REDACTED (in
16:36:08 10 English).

16:36:08 11

16:36:12 12

16:36:14 13

16:36:17 14

16:36:20 15

16:36:33 16

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C E R T I F I C A T E

STATE OF NEW YORK)

: SS.

COUNTY OF NEW YORK)

I, OTIS DAVIS, a Notary Public
within and for the State of New York,
do hereby certify:

That WERNER BRANDT, the witness
whose deposition is hereinbefore set
forth, was duly sworn by me and that
such deposition is a true record of
the testimony given by the witness.

I further certify that I am not
related to any of the parties to this
action by blood or marriage, and that
I am in no way interested in the
outcome of this matter.

IN WITNESS WHEREOF, I have hereunto
set my hand this 17th day of November 2008.



OTIS DAVIS